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Las Vegas Basketball L.P. d/b/a
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(erroneously sued as LAS VEGAS ACES
d/b/a and a/k/a
LAS VEGAS BASKETBALL L.P.)*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DELORES CHAPMAN, on behalf of herself and
all others similarly situated;

Plaintiff,

v.

LAS VEGAS ACES d/b/a and a/k/a LAS
VEGAS BASKETBALL L.P.; MVP EVENT
PRODUCTIONS LLC d/b/a and a/k/a MVP
EVENT STAFFING; Mandalay Bay,
LLC; ARAMARK Sports and
Entertainment Group, LLC;
ARAMARK Sports and
Entertainment Services, LLC;
ARAMARK Sports, LLC; ARAMARK
Services, Inc.; GREG FIELDING; DOES
1 through 50, inclusive,

Defendants.

Case No. 2:23-cv-00278-APG-VCF

**STIPULATION AND PROPOSED
ORDER STAY OF DISCOVERY
PENDING RESOLUTION OF
ARAMARK ENTITIES AND
MANDALAY BAY, LLC DEFENDANTS'
MOTION TO DISMISS (ECF NO. 47)**

(FIRST REQUEST)

Plaintiff, DELORES CHAPMAN ("Plaintiff" or "Chapman") Defendant, LAS VEGAS
BASKETBALL L.P. d/b/a and a/k/a LAS VEGAS ACES ("Las Vegas Aces") (*erroneously sued
as Las Vegas Aces d/b/a and a/k/a Las Vegas Basketball L.P.*), and Defendants Aramark Entities

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1 and Mandalay Bay, LLC (“Aramark & Mandalay Parties”) collectively (the “Parties”) by and
2 through their respective undersigned counsel, do hereby stipulate as follows:

3 1. Plaintiffs filed her Class Action Complaint in Eighth Judicial District Court in and
4 for Clark County, Nevada, Case No. A-22-861578-C on November 21, 2022, 2023. *See* ECF No.

5 1.

6 2. Las Vegas Aces were served with the Complaint on January 25, 2023.

7 3. Las Vegas Aces filed their Notice of Removal on February 22, 2023. *See* ECF No.

8 1.

9 4. On March 1, 2023, Las Vegas Aces filed their Answer to Plaintiff’s Class Action
10 Complaint. *See* ECF No. [ECF No. 7].

11 5. On March 23, 2023, a Default was entered by the Clerk of the Court against MVP
12 Event Productions LLC dba and aka MVP Event Staffing.

13 6. In accordance with Rule 26(f) and LR 26-1(a), the Las Vegas Aces and Chapman
14 met and conferred on March 24, 2023.

15 7. On April 7, 2023, a Discovery Plan and Scheduling Order was entered by the
16 Court.

17 8. On June 22, 2023, Plaintiff filed a Motion for Leave to Amend her Class Action
18 Complaint, which named new defendants to the action.

19 9. On Monday, July 3, 2023, Las Vegas Aces and Chapman met and conferred, and
20 agreed that a short extension to the dates and deadlines in the Scheduling Order would permit the
21 parties to fully and properly complete percipient witness and party discovery, expert
22 investigation, expert analysis, and expert discovery.

23 10. On July 11, 2023, the Court granted Plaintiff’s Motion for Leave to File Amended
24 Complaint. (ECF No. 21).

25 11. On July 19, 2022, Plaintiff filed an Amended Complaint adding eight new
26 defendants. (ECF No. 22).

27 12. Defendant, Las Vegas Basketball L.P. filed their answer to the First Amended
28 Complaint on August 1, 2023. (ECF No. 33).

1 13. Aramark Entities and Mandalay Bay, LLC filed a Motion to Dismiss or Strike
2 Plaintiff's First Amended Complaint on November 15, 2023. *See* ECF No. 47.

3 14. Aramark Entities and Mandalay Bay, LLC's Motion to Dismiss seeks dismissal of
4 Plaintiffs' Complaint pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which
5 relief can be granted as to all claims asserted in the Complaint. *See generally* ECF No. 47.

6 15. Given the pending Motion to Dismiss, the Parties have met and conferred
7 regarding discovery and have agreed to a temporary stay of discovery and compliance with Local
8 Rule 26-1 and Fed. R. Civ. P. 26(f). Specifically, the Parties agree to temporarily stay discovery
9 in this matter at least until the Court adjudicates Aramark Entities and Mandalay Bay, LLC's
10 Motion to Dismiss.

11 16. The Parties believe that good cause exists to warrant a temporary stay of discovery.
12 Courts have broad discretionary power to control discovery. *See, e.g., Little v. City of Seattle*, 863
13 F.2d 681, 685 (9th Cir. 1988). Requests to stay all discovery may be granted when: (1) the pending
14 motion is potentially dispositive in scope and effect; (2) the potentially dispositive motion can be
15 decided without additional discovery; and (3) the Court has taken a "preliminary peek" at the
16 merits of the potentially dispositive motion and is convinced that the plaintiff will be unable to
17 state a claim for relief. *See Kor Media Grp., LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013).

18 17. Notwithstanding the foregoing stipulated stay of discovery, Plaintiff and Las
19 Vegas Aces and Chapman have served initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on
20 April 7, 2023, Las Vegas Aces have served supplemental disclosures on May 26, 2023 and July
21 21, 2023.

22 18. The Parties further agree that in the event the Court denies Defendants' Motion to
23 Dismiss in any part, the Parties agree to meet and confer in good faith regarding a proposed
24 discovery scheduling order upon Plaintiff's remaining claims and reserve all rights.

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26 ///

27 ///

28 ///

1 19. Accordingly, the parties respectfully request that the Court grant this Stipulation
2 to stay discovery in this matter pending the Court's adjudication of Aramark Entities and
3 Mandalay Bay, LLC's Motion to Dismiss.

4 DATED this 28th day of November 2023.

DATED this 28th day of November 2023.

5 **HOLLAND & HART LLP**

GABROY | MESSER

6 /s/ Steven J.T. Washington

/s/ Christian Gabroy

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12 *Las Vegas Aces (erroneously sued as LAS*
VEGAS ACES d/b/a and a/k/a LAS VEGAS
BASKETBALL L.P.)

Attorneys for Plaintiff

13 DATED this 28th day of November 2023

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24 *Mandalay Bay, LLC*

IT IS SO ORDERED:

25 
26 UNITED STATES MAGISTRATE JUDGE

27 November 29, 2023

28 DATED: _____

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